

PATENT
Customer No. 22,852
Attorney Docket No. 09367.0085-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Gustave BERGNES et al.) Group Art Unit: Not Yet Assigned
Application No.: 10/529,745) Examiner: Not Yet Assigned
International Filing Date:)
September 30, 2003) Confirmation No.: 1850
For: COMPOUNDS, COMPOSITIONS,)
AND METHODS)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached IDS Form PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents foreign and non-patent literature documents are attached. Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any further fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Lauren L. Stevens
Reg. No. 36,691

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	09367.0085-00000	Appln. No.	10/529,745
Applicants	Gustave BERGNES et al.		
Int'l. Filing Date	September 30, 2003	Group:	Not Yet Assigned

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
1.	2004/0242596 A1	12/02/04	Kim et al.			
2.	2004/0259826 A1	12/23/04	Fraley et al.			
3.	2005/0152940 A1	07/14/05	Hezi-Yamit et al.			
4.	2005/0209254 A1	09/22/05	Wang et al.			
5.	2005/0059823 A1	03/17/05	McNaughton-Smith et al.			
6.	2004/0198724 A1	10/07/04	McNaughton-Smith et al.			
7.	2003/0119854 A1	06/26/03	Schall et al.			
8.	6,214,879 B1	04/10/01	Abraham et al.			
9.	6,518,277 B1	02/11/03	Sadhu et al.			
10.	6,596,723 B1	07/22/03	Watkins et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initial*	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
1.	WO 03/035077 A1	05/01/03	WIPO			
2.	WO 03/035076 A1	05/01/03	WIPO			
3.	WO 99/20298 A1	04/29/99	WIPO			
4.	WO 93/20055 A1	10/14/93	WIPO			
5.	WO 96/28430 A1	09/19/96	WIPO			
6.	WO 95/19169 A2	07/20/95	WIPO			
7.	EP 0 509 643 A1	10/21/92	Europe			
8.	JP 10/259176	09/29/98	Japan			T's 1-2, 5-6, 380-382, and all table headings
9.	WO 93/19051 A1	09/30/93	WIPO			

Examiner	Date Considered
----------	-----------------

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	09367.0085-00000	Appln. No.	10/529,745
Applicants	Gustave BERGNES et al.		
Int'l. Filing Date	September 30, 2003	Group:	Not Yet Assigned

FOREIGN PATENT DOCUMENTS

Examiner Initial*		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
10.		WO 03/020279 A2	03/13/03	WIPO			
11.		WO 03/020280 A2	03/13/03	WIPO			
12.		WO 02/30462 A2	04/18/02	WIPO			
13.		WO 03/043961 A2	05/30/03	WIPO			
14.		WO 03/084544 A2	10/16/03	WIPO			

Examiner Initial*	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages etc.)
1.	Office Action mailed April 27, 2005, for U.S. Application No. 10/429,195, filed May 2, 2003.
2.	International Preliminary Examination Report mailed May 9, 2005, for PCT Application No. PCT/US03/13627, filed May 2, 2003.
3.	International Search Report and Written Opinion mailed April 28, 2005, for PCT Application No. PCT/US04/36253, filed November 2, 2004.
4.	International Search Report and Written Opinion mailed June 14, 2005, for PCT Application No. PCT/US04/36853, filed November 5, 2004.
5.	Sauter et al., CAPLUS Abstract No. 87:84931 (1977).
6.	Uchida et al., CAPLUS Abstract No. 81:152142 (1974).
7.	Yamada et al., CAPLUS Abstract No. 134:252363 (2001).
8.	Matsuoka et al., CAPLUS Abstract No. 133:150920 (2000).
9.	Nugent et al., CAPLUS Abstract No. 123:143921 (1995).
10.	De Melo et al., CAPLUS Abstract No. 117:143023 (1992).
11.	Irikura et al., CAPLUS Abstract No. 105:42834 (1986).
12.	Kyorin Pharmaceutical Co., Ltd., CAPLUS Abstract No. 103:87901 (1985).
13.	Shuto et al., CAPLUS Abstract No. 90:72134 (1979).
14.	Katagiri et al., CAPLUS Abstract No. 100:51536 (1984).

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	09367.0085-00000	Appln. No.	10/529,745
Applicants	Gustave BERGNES et al.		
Int'l. Filing Date	September 30, 2003	Group:	Not Yet Assigned

Examiner Initial*	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages etc.)
15.	Hegrand et al., CAPLUS Abstract No. 80:95873 (1974).
16.	Witkop et al., CAPLUS Abstract No. 75:77191 (1971).
17.	Office Action mailed June 24, 2005, for U.S. Application No. 10/773,602, filed February 6, 2004.
18.	Office Action mailed July 6, 2005, for U.S. Application No. 10/982,195, filed November 5, 2004.
19.	Gavezzotti "Are Crystal Structures Predictable" <i>Acc. Chem. Res.</i> 27:309-314 (1994)
20.	Wolff (ed.) Burger's Medicinal Chemistry and Drug Discovery, 5 th Edition Volume 1: Principles and Practice, John Wiley & Sons, New York, pp. 975-977 (1995)
21.	Banker et al. (eds.) Modern Pharmaceuticals Third Edition, Revised and Expanded, Marcel Dekker, Inc., New York, pp. 451 & 596 (1996)
22.	Coleman et al. "Inhibitors of the mitotic kinesin spindle protein" <i>Expert Opin. Ther. Patents</i> 14(12): 1659-1667 (2004)
23.	Li et al. "Discovery and development of antimitotic agents that inhibit tubulin polymerisation for the treatment of cancer" <i>Expert Opin. Ther. Patents</i> 12(11): 1663-1702 (2002)
24.	Malik et al., "Compositions, Devices and Methods for Treating Cardiovascular Disease," U.S. Patent Application No. 11/147,406, filed June 7, 2005.
25.	International Search Report and Written Opinion mailed October 21, 2005, for PCT Application No. PCT/US05/19791, filed June 7, 2005.
26.	Franco et al., "Functional association of retinoic acid and hedgehog signaling in <i>Xenopus</i> primary neurogenesis," <i>Development</i> , 126: 4257-4265 (1999)
27.	Gaffield et al., "A Looking Glass Perspective: Thalidomide and Cyclopamine," <i>Cellular and Molecular Biology</i> , 45(5): 579-588 (1999)
28.	Ghorab, "Synthesis of Some New Thiadiazole, Selena, Triazine, Thiazole and Cyanopyridine Derivatives with Assay for Their Antitumor Activity," <i>Phosphorus, Sulfur, and Silicon</i> , 112: 7-17 (1996)
29.	Gailani et al., "The role of the human homologue of <i>Drosophila patched</i> in sporadic basal cell carcinomas," <i>Nature Genetics</i> , 14: 78-81 (1996)
30.	Ghorab et al., "Synthesis and effect of some new [1,2,4]triazolo[4,3-a]quinazolin-5(4H)-ones and related compounds on Ehrlich Ascites Carcinoma cells," <i>Acta Pharm.</i> , 49: 1-10 (1999)

Examiner	Date Considered
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	09367.0085-00000	Appln. No.	10/529,745
Applicants	Gustave BERGNES et al.		
Int'l. Filing Date	September 30, 2003	Group:	Not Yet Assigned

Examiner Initial*	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages etc.)		
31.	Jiang et al., "Synthesis and Biological Evaluation of 2-Styrylquinazolin-4(3H)-ones, a New Class of Antimitotic Anticancer Agents Which Inhibit Tubulin Polymerization," <i>J. Med. Chem.</i> , 33: 1721-1728 (1990)		
32.	Smith et al., "Effects of Gastrin, Proglumide, and Somatostatin on Growth of Human Colon Cancer," <i>Gastroenterology</i> , 95: 1541-1548 (1988)		
33.	"Signal Transduction," from the <u>Dictionary of Biology</u> , Penguin Books, Ninth Edition reprinted with minor revisions, pp. 574-575 (1995)		
34.	"Hyper-," from <u>The British Medical Dictionary</u> , Caxton, p. 706 (circa 1961)		
35.	"Inhibit," from <u>The British Medical Dictionary</u> , Caxton, p. 747 (circa 1961)		
36.	Ghosh, "Quinazolines. Part I," <i>J. Indian Chemical Society</i> , XIV: 411-413 (1937)		

Examiner	Date Considered
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce